

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

<p>SIoux RURAL WATER SYSTEM, INC., a Non-Profit Corporation</p> <p>Plaintiff,</p> <p>vs.</p> <p>CITY OF WATERTOWN, a South Dakota Municipality, and WATERTOWN MUNICIPAL UTILITIES, an agency of the CITY OF WATERTOWN</p> <p>Defendants.</p>	<p>Civ. 15-1023</p> <p><b>PLAINTIFF'S MOTION IN LIMINE NO. 4</b></p> <p>To Preclude Reference to Embezzlement</p>
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The wife of Sioux Rural Water's former manager and Sioux's former office coordinator, Brenda Anderson, was convicted of embezzling over one million dollars from Sioux Rural Water in 2014. It is expected that Defendants will attempt to elicit testimony and make reference to Ms. Anderson during the course of this case in an attempt to gain a tactical advantage. In reality, reference to this embezzlement, Ms. Anderson or her conviction would only be offered for whatever salacious, distracting or confusing value it may have to the issues present for the jury. As such, reference to this incident would necessarily be irrelevant, confusing, misleading and unfairly prejudicial to Sioux Rural Water under FRE 401 and 403. Accordingly, Defendant should be prevented from eliciting or introducing such testimony or evidence at trial.

Dated this 14 day of August, 2017.

/s/ Jeff Cole  
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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a true and correct copy of Plaintiff's Motion in Limine No. 4, was electronically filed and served via the CM/ECF system on this 14<sup>th</sup> day of August, 2017 to:

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Dated this 14<sup>th</sup> day of August, 2017.

/s/ Jeff Cole  
For the Firm